

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JUDITH LAVOIS, §
§
Plaintiff, §
§
VS. § CIVIL ACTION NO. H-09-859
§
ELI LILLY AND COMPANY, et al., §
§
Defendants. §

ORDER

In this product liability suit, Judith Lavois sued Athena Neurosciences, Inc. and several other defendants for damages arising from the manufacture, sale, testing, marketing, and distribution of the prescription drugs Permax and Pergolide Mesylate. The complaint was filed on March 24, 2009. Athena Neurosciences was served with a copy of the summons and complaint on May 15, 2009. On June 26, 2009, Lavois moved for entry of default judgment against Athena for failure to answer the complaint. (Docket Entry No. 22). On the same day, Athena filed an answer to the complaint. (Docket Entry No. 24). The motion for default judgment is denied.

SIGNED on July 10, 2009, at Houston, Texas.



Lee H. Rosenthal
United States District Judge